



PATENT  
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Sarah Wilcox

Printed name of person mailing correspondence

*Sarah Wilcox*

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mikos et al.

Confirmation No.: 8716

Serial No.: 10/775,768

Art Unit: 1657

Filed: February 10, 2004

Examiner: David Naff

Customer No.: 21559

Title: POROUS BIODEGRADABLE POLYMERIC MATERIALS FOR CELL  
TRANSPLANTATION

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TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 and 3.73(b)

Pursuant to 37 C.F.R. § 1.321(b), Massachusetts Institute of Technology and Children's Medical Center Corporation, the assignees of the entire right, title, and interest in the above-captioned application, seek to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Pursuant to 37 C.F.R. § 1.321(b)(1), this terminal disclaimer is signed by an attorney of record.

Pursuant to 37 C.F.R. § 1.321(b)(2), Massachusetts Institute of Technology and Children's Medical Center Corporation, hereby waive and disclaim the terminal portion of the term of the entire patent to be granted upon the application subsequent to the expiration date of U.S. Patent No. 5,514,378. Massachusetts Institute of Technology and Children's Medical Center Corporation do not disclaim any terminal part of any patent granted on the application prior to the expiration date of the full statutory term of U.S. Patent No. 5,514,378 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

Pursuant to 37 C.F.R. § 1.321(b)(3) and § 3.73(b), the undersigned attorney/agent of record certifies that Massachusetts Institute of Technology, a university, and Children's Medical Center Corporation, a hospital, are the assignees of the entire right, title, and interest in the application by virtue of:

An assignment from the inventors of the application. The assignment was Recorded in the Patent and Trademark Office for the grandparent application (U.S. Serial No. 08/052,387; filed on April 23, 1993) of the presently pending application at

Reel/Frame 006625/0097 on May 25, 1993 for Antonios G. Mikos and Robert S. Langer, and at Reel/Frame 006625/0100 on May 25, 1993 for Joseph P. Vacanti; and Recorded in the parent application (U.S. Serial No. 09/669,760; issued as U.S. Patent No. 6,689,608 on February 10, 2004) at Reel/Frame 668908/0298 on July 15, 2002 for Linda G. Griffith and Georgios Sarakinos.

The undersigned attorney/agent of record has reviewed all the documents in the chain of title of the application and to the best of the undersigned's knowledge and belief, title is in Massachusetts Institute of Technology and Children's Medical Center Corporation.

Pursuant to 37 C.F.R. § 1.321(b)(4), enclosed is a check for \$65.00 for the fee set forth in 37 C.F.R. § 1.20(d).

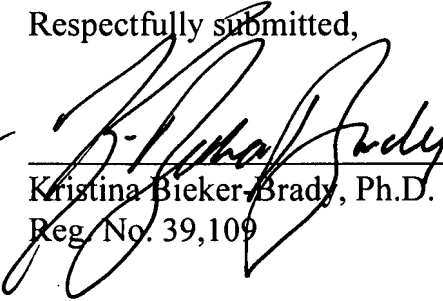
Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is being filed to overcome a double patenting rejection in the application. Any patent granted on the application or any resulting patent subject to reexamination proceedings shall be enforceable only for and during such period that the patent is commonly owned with the application or patent that formed the basis for the rejection.

If there are any additional charges or any credits, please apply them to Deposit

Account Number 03-2095.

Respectfully submitted,

Date:

July 26, 2007 

Kristina Bieker-Brady, Ph.D.

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